

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

**UNITED STATES OF AMERICA upon
the relation and for the use of the
TENNESSEE VALLEY AUTHORITY**

PLAINTIFF

V.

NO. 1:20-CV-77-DMB-DAS

**AN EASEMENT AND RIGHT-OF-WAY
OVER 0.53 ACRE OF LAND, MORE OR
LESS, IN OKTIBBEHA COUNTY,
MISSISSIPPI, et al.**

DEFENDANTS

JUDGMENT

In accordance with the “Opinion and Order” entered this day,

IT IS ORDERED AND ADJUDGED:

1. Defendants shall recover of the Plaintiff \$2,425 as full compensation for the taking of the property rights herein condemned, and Defendants shall receive all of that amount recovered as compensation in the apportioned amounts set forth in paragraphs 2 and 3.

2. The Clerk of Court is authorized and directed to draw checks on the funds deposited in the registry of this Court in this action in the amounts specified for each individual Defendant listed in Attachment 2 to this judgment, payable to each such individual for whom an address is provided. The Clerk of Court is directed to mail such checks to each Defendant to the address on file for each such Defendant.

Any such disbursement shall be conditioned on the Defendant providing his or her social security number to the Clerk of Court and to Tennessee Valley Authority for purposes of reporting the compensation award to federal taxing authorities.

3. To the extent that persons listed in Attachment 2 are unknown or no address has been provided to the Clerk, the Clerk of Court shall retain those funds. Any person who claims to be one of the unknown heirs shall file a petition on the docket in this case, and the Court will determine the validity of any such claim.

4. The Clerk of Court is directed to disburse any and all accrued interest to the United States of America, upon the relation and for the use of the Tennessee Valley Authority.

5. The vesting of title in the United States of America, free of all liens, claims, and encumbrances, as evidenced by the Declaration of Taking filed in this action on April 22, 2020 [Doc. 2-1], is hereby fully and finally confirmed with respect to the easement and right-of-way described below, such description being the same as in Attachment 1 to the Declaration of Taking filed in this action [Doc. 2-2]:

A permanent easement and right-of-way, consisting of the perpetual right to enter and to erect, maintain, repair, rebuild, operate, and patrol lines of transmission line structures with sufficient wires and cables for electric power circuits and communication circuits, and all necessary appurtenances, including guy wires, in, on, over, and across said right-of-way, together with the perpetual right to clear said right-of-way and keep the same clear of structures (including but not limited to flagpoles, solar panels, buildings, signboards, billboards), trees, brush, stored personal property, and fire hazards, to destroy or otherwise dispose of such trees and brush; to prevent the drilling or sinking of wells within the right-of-way; and to remove, destroy, or otherwise dispose of any trees located beyond the limits of said right-of-way which in falling could come within five feet of any transmission line structure or conductor located thereon, the Tennessee Valley Authority to remain liable for any direct physical damage to the land and annual growing crops resulting directly from the operations of the construction and maintenance forces of its agents and employees in the erection and maintenance of or in exercising a right of ingress and egress to said transmission line structures, all upon, under, over, and across the following-described land:

TRACT NO. WTBJ-1

A strip of land located in the Southwest 1/4 of Section 9, Township 18 North, Range 15 East, Oktibbeha County, State of Mississippi, as shown on a map entitled "West Point – Midway Transmission Line Tap to Blackjack, Miss.," drawing LW-3226,

sheet P8A, R.4, a reduced scale copy of which is attached to the Declaration of Taking filed herein, the said strip being 100 feet wide, lying 50 feet on each side of the centerline of the transmission line location and the end boundaries of the strip being more particularly described as follows:

Commence at the southwest corner of James Hicks Evans, et al., as shown on said LW-3226, a common corner of Willie B. Hampton; thence in a northerly direction with the Willie B. Hampton line, 241.3 feet+/- to a point on the property line of Willie B. Hampton and on the centerline of the location of the transmission line at survey station 1+55.9, and being the Point of Beginning.

The said strip being bounded on the west end by the said property line; thence with the centerline of the location N. 89° 50' 09" E., 155.9 feet to a point of intersection on the centerline of the location at equation station 0+00.00 Line Ahead, 797+07.98 Line Back having the state plane coordinates of North: 1432856.04, East: 1013845.38; thence with the centerline of the location N. 00° 37' 29" W., 50 feet to a point of ending on the centerline of the location at station 796+58.0, the said strip being bounded on the north end by the said survey station, the ends of said strip are shortened or extended to said property lines.

The above-described strip of land above includes the centerline of the transmission line location for a net distance 205.9 feet and contains 0.53 acres, more or less.

Furthermore, the permanent easement rights include the perpetual right to install, maintain, and replace guy wires and necessary appurtenances outside the right-of-way for the transmission line structure located at survey station 0+00.

The above-described parcel of land is lying in the Southwest 1/4 of Section 9, Township 18 North, Range 15 East, Oktibbeha County, State of Mississippi.

6. The Clerk of this Court shall furnish to Plaintiff a certified copy of this Judgment which shall serve as a muniment of title.

7. This case is CLOSED.

SO ORDERED, this 3rd day of March, 2023.

/s/Debra M. Brown
UNITED STATES DISTRICT JUDGE

ATTACHMENT 1

Ownership Interest

HEIRS OF DOROTHY M. EVANS a/k/a DOROTHY MAE RILEY	an undivided 1/8 interest
ROSE MARY RICE	an undivided 1/56 interest
LENA RICE LUCIOUS	an undivided 1/56 interest
LAURA RICE GREENFIELD	an undivided 1/56 interest
DONNA M. RICE	an undivided 1/56 interest
EVA RICE JEFFERSON	an undivided 1/56 interest
OZELLA RICE	an undivided 1/56 interest
LEO RICE, JR.	an undivided 1/56 interest
HEIRS OF WILLIE C. EVANS	an undivided 1/8 interest
ALTHEA YOUNG	an undivided 1/24 interest
DANA EVANS	an undivided 1/24 interest
DARREN LAMONT SMITH	an undivided 1/24 interest
LACRISCIA BANKHEAD	an undivided 1/96 interest
DEMETRA PETTY	an undivided 1/96 interest
NASDELLA HUNTER	an undivided 1/96 interest
BARBARA AGNEW	an undivided 1/96 interest
VIVIAN BELL	an undivided 1/96 interest
VICKI WRIGHT	an undivided 1/96 interest
BUFFY SCOTT	an undivided 1/96 interest
TARSHA TUCKER	an undivided 1/96 interest
NORMA JEAN VAN	an undivided 1/96 interest
WINORVA NICHOLS	an undivided 1/96 interest
JUAN PETTY	an undivided 1/96 interest
WALTER BELL	an undivided 1/96 interest
JAMES HICKS EVANS, JR.	an undivided 1/8 interest
JESSE LEE EVANS	an undivided 1/8 interest
LODINA EVANS PETERSON	an undivided 1/8 interest

ATTACHMENT 2**TVA TRACT NO. WTBJ-1 - JAMES EVANS HICKS, ET AL.
COMPENSATION APPORTIONMENT**

Deposited Compensation: \$ 2,425.00

	<i>Fractional Interest</i>	<i>Interest as a Decimal</i>		<i>Compensation</i>
HEIRS OF DOROTHY M. EVANS a/k/a DOROTHY MAE RILEY	1/8	0.125	\$	303.13
ROSE MARY RICE	1/56	0.017857143	\$	43.30
LENA RICE LUCIOUS	1/56	0.017857143	\$	43.30
LAURA RICE GREENFIELD	1/56	0.017857143	\$	43.30
DONNA M. RICE	1/56	0.017857143	\$	43.30
EVA RICE JEFFERSON	1/56	0.017857143	\$	43.30
OZELLA RICE	1/56	0.017857143	\$	43.30
LEO RICE, JR.	1/56	0.017857143	\$	43.30
HEIRS OF WILLIE C. EVANS	1/8	0.125	\$	303.13
ALTHEA YOUNG	1/24	0.041666667	\$	101.04
DANA EVANS	1/24	0.041666667	\$	101.04
DARREN LAMONT SMITH	1/24	0.041666667	\$	101.04
LACRISCIA BANKHEAD	1/96	0.010416667	\$	25.26
DEMETRA PETTY	1/96	0.010416667	\$	25.26
NASDELLA HUNTER	1/96	0.010416667	\$	25.26
BARBARA AGNEW	1/96	0.010416667	\$	25.26
VIVIAN BELL	1/96	0.010416667	\$	25.26
VICKI WRIGHT	1/96	0.010416667	\$	25.26
BUFFY SCOTT	1/96	0.010416667	\$	25.26
TARSHA TUCKER	1/96	0.010416667	\$	25.26
NORMA JEAN VAN	1/96	0.010416667	\$	25.26
WINORVA NICHOLS	1/96	0.010416667	\$	25.26
JUAN PETTY	1/96	0.010416667	\$	25.26
WALTER BELL	1/96	0.010416667	\$	25.26
JAMES HICKS EVANS, JR.	1/8	0.125	\$	303.13
JESSE LEE EVANS	1/8	0.125	\$	303.13
LODINA EVANS PETERSON	1/8	0.125	\$	303.14
TOTAL		1	\$	2,425.00